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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

STIRLING et al

Atty. Ref.: 2425-8

Serial No. 09/373,980

Group: 2663 ✓

Filed: August 16, 1999

Examiner: N. Do

For: LOCAL COMMUNICATION SYSTEM

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December 16, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2000

Sir:

**REQUEST FOR WITHDRAWAL
OF "FINALITY" DESIGNATION OF LAST OFFICE ACTION**

The Office Action dated 11/19/2003 was designated "final". At page 6, the Examiner alleges that applicant's amendment necessitated the new grounds of rejection and therefore justified making the new Office Action "final".

However, applicant's amendment merely cancelled claims and added some limitations into independent claims from prior dependent claims -- except for the addition of new claim 90 (which has not been treated differently or apparently required the citation of any different references than other claims in the outstanding Office Action).

Accordingly, based on the facts at hand, it appears literally impossible for applicant's earlier amendment to have required or necessitated any new grounds of

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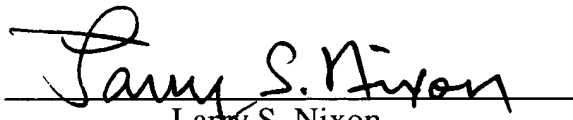
rejection. Yet the entirety of the outstanding Office Action relies on newly cited prior art references and new grounds of rejection.

Since applicant has not injected any new issues into the case that would have necessitated any additional searching or citation of new prior art or the like, it is respectfully submitted that the Office Action dated November 19, 2003 should not have been designated "final". Reconsideration and withdrawal of this designation is respectfully solicited.

Respectfully submitted,

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